

Practitioner's Docket No.: 782\_206

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of: Tomohiko SHIBATA, Keiichiro ASAI, Yukinori  
NAKAMURA and Mitsuhiro TANAKA

**RECEIVED  
CENTRAL FAX CENTER**

Serial No.: 10/017,325

Group Art Unit: 2811

**MAY 16 2005**

Filed: December 14, 2001

Examiner: Junghwa M. Im

Conf. No.: 8198

For: SEMICONDUCTOR ELEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION OF FACSIMILE  
TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to (703)  
872-9306 in the Patent and Trademark Office on May 16, 2005.

*Tara L. Preston*

Tara L. Preston

**REQUEST FOR RECONSIDERATION**

Sir:

The following remarks are in response to the Office Action mailed February 16, 2005.

Claims 1-6, 8 and 10-15 are pending herein.

1. Claims 1-6 and 10-15 were rejected under §103(a) over Kunisato in view of Morita. This rejection is respectfully traversed.

Claim 1 recites a semiconductor element comprising a substrate with an underlayer on the substrate. The underlayer comprises a first semiconductor nitride including a least Al, and the crystallinity of the underlayer is set to have a full width at half maximum X-ray rocking curve value of 90 seconds or below. A buffer layer is located on the underlayer and comprises a second semiconductor nitride. A

Page 1 of 3